

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JAN P. HOLICK, JR., on behalf of themselves
and all others similarly situated, et al.,

Plaintiffs,

v.

No. 12-cv-584
(NAM/DRH)

CELLULAR SALES OF NEW YORK, LLC,
et al.,

Defendants.

ORDER

By letter dated July 20, 2012, plaintiffs requested a conference concerning various issues related to defendants' motion to dismiss now pending. Dkt. No. 21. By letter of the same date, defendants responded in opposition. Dkt. No. 22. A telephone conference was held with counsel for all parties on-the-record on July 30, 2012. As directed during that conference and for the reasons stated at that time which are incorporated herein by reference, it is hereby

ORDERED that plaintiffs' various requests for relief are **DENIED** except that it is noted that plaintiffs may move for provisional class certification whenever they deem it appropriate and such motion shall proceed before the assigned district court judge according to the normal motion practice in this District.

IT IS SO ORDERED.

Dated: July 31, 2012
Albany, New York


United States Magistrate Judge